

**LYNCHBURG CITY COUNCIL
Agenda Item Summary**

MEETING DATE: November 11, 2003

AGENDA ITEM NO.: 8

CONSENT: **X**

REGULAR:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Street Dedication Request – Jefferson Square at Wyndhurst, Phase II, Off Paulette Circle**

RECOMMENDATION: Approval of resolution to approve the street dedication

SUMMARY:

The Emergency Communications Administrator, the Fire Marshal and the Lynchburg Post Office Customer Services Manager had no concerns with the name of Archway Court for the new street extension. The Traffic Engineer expressed no concerns with the name of Archway Court conditional that the proposed new street extension is aligned directly across Paulette Circle from the existing Archway Court

PRIOR ACTION(S):

October 8: Planning Commission recommended approval
Planning Division recommended approval

FISCAL IMPACT: N/A

CONTACT(S):

Rachel Flynn / 847-1508, ext. 253
Annette Chenault / 847-1508, ext. 258

ATTACHMENT(S):

- Resolution
- PC Report
- PC minutes
- Preliminary Subdivision Plat by Hurt & Proffitt, Inc. **(Maps can be viewed in the Office of Community Planning & Development, 2nd Floor, City Hall, 900 Church Street, Lynchburg, VA)**

REVIEWED BY: lkp

RESOLUTION

A RESOLUTION APPROVING A SUBDIVISION PLAT, INCLUDING THE DEDICATION OF A PUBLIC STREET AND NAMING THE NEW STREET.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG, that the subdivision plat entitled "Plat Showing Division of the Property of Jambo International, LLC, Jefferson Square at Wyndhurst, Phase II," made by Hurt & Proffitt, Inc., dated June 9, 2003, subdividing 2.638 acres of land into five (5) lots for development, including the dedication of the proposed public street extension of Archway Court to be constructed in compliance with the above referenced plat, be, and the same is hereby, approved and accepted, contingent upon the property owner obtaining containing construction bonds and recording an executed subdivision plat. The failure of the property owner to comply with these conditions shall render the acceptance of the public street null and void, and

BE IT FURTHER RESOLVED, That the name of Archway Court" is hereby approved for the extension of the fifty (50) right of way public street of Archway Court.

Adopted:

Certified:

Clerk of Council

186L

THE DEPARTMENT of COMMUNITY PLANNING & DEVELOPMENT

City Hall, Lynchburg, VA 24504

804.847.1508

To: Planning Commission

From: Planning Division

Date: October 8, 2003

RE: STREET DEDICATION REQUEST – JEFFERSON SQUARE AT WYNDHURST, PHASE II, OFF
PAULETTE CIRCLE

SYNOPSIS JAMBO, International, L.L.C., property owner, is requesting approval of the street extension dedication for the proposed *Jefferson Square at Wyndhurst, Phase II*, which would subdivide 2.638 acres into five lots for commercial development. The proposed development would be served by an extension of Archway Court. The project is part of the Wyndhurst Traditional Neighborhood Development.

SUMMARY

The Technical Review Committee reviewed the preliminary subdivision plat and found that it meets all of the major Subdivision Ordinance requirements.

The Emergency Communications Administrator, the Traffic Engineer, the Fire Marshal and the Lynchburg Post Office Customer Services Manager have no concerns with the name of Archway Court for the new street extension. The City Traffic Engineer expressed no concerns with the name of Archway Court conditional that the proposed new street extension is aligned directly across Paulette Circle from the existing Archway Court.

Planning Division recommends approval of the street dedication request.

REQUIRED ACTION

Consideration of the Planning Division's recommendation.

BACKGROUND

Mrs. Tracey Norvelle, Hurt & Proffitt, Inc., represents JAMBO, International, L.L.C. The subject tract of land contains a total of 2.638 acres, of which 2.375 acres would be subdivided into five lots for commercial development, and 0.263 acres would be dedicated to the City of Lynchburg for right-of-way purposes.

The property is zoned B-3 "Conditional," Community Business District. The conditions that were applied to the B-3 "Conditional" areas were, "The layout of the buildings and parking are schematic only and will not dictate their ultimate size or location. However, the buildings will be positioned such that the parking will be to the side or rear of the lot and not between the building and street. The individual businesses will share driveway entrances and cross access arrangements to minimize entrances onto the street."

Access to the lots would be provided by a new public street extension of Archway Court. Archway Court, with 50 feet of right-of-way, is proposed to extend from Paulette Circle approximately 160 feet in a northwesterly direction to its terminus in a cul-de-sac. Some of the lots would also have frontage on Enterprise Drive and Paulette Circle.

The property is served by municipal sewer. Municipal water service will be available to the property. Utilities for the new development are to be located underground.

The Emergency Communications Administrator, the Traffic Engineer, the Fire Marshal and the Lynchburg Post Office Customer Services Manager have no concerns with the name of Archway Court for the new street extension. The City Traffic Engineer expressed no concerns with the name of Archway Court conditional that the new street extension is aligned directly across Paulette Circle from the existing Archway Court.

The Subdivision Ordinance requires Planning Commission and City Council review and approval because the subdivision proposes the dedication of a new street extension.

TECHNICAL REVIEW COMMITTEE COMMENTS

On July 1 the Technical Review Committee (TRC) reviewed a preliminary subdivision plat for the subject property. The TRC noted the need for a few revisions, which are minor in nature and which are expected to be resolved by the petitioner prior to the approval of a final subdivision plat. The TRC made the following comment of significance to the consideration of the requested subdivision:

“Property is not served by City water.”

PLANNING DIVISION RECOMMENDATION

Based on the preceding information and analysis, the Planning Division recommends the following:

That the Planning Commission recommends to City Council approval of the subdivision plat entitled *Plat Showing Division of the Property of JAMBO International, LLC, Jefferson Square at Wyndhurst, Phase II*, by Hurt & Proffitt, Inc., dated June 9, 2003 to create five lots on 2.638 acres, including the dedication of right-of-way 50 feet in width for the proposed public street extension of Archway Court, to be constructed in substantial compliance with the preliminary subdivision plat. The acceptance of the extension of Archway Court as a public street is contingent on JAMBO International, L.L.C. filing a properly executed subdivision plat to be recorded among the land records in the Office of the Clerk of the Circuit Court; the filing of approved street and utility plans and the necessary construction bonds with the City; and the construction of the street in accordance with City standards. The failure to fully comply with these conditions shall render the City's acceptance of the extension of Archway Court as a public street null and void.

This matter is hereby offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. Bruce A. McNabb, Director of Public Works
Mr. R. Douglas Dejarnette, Fire Marshal
Ms. J. Lee Newland, City Engineer
Mr. Gerry L. Harter, Traffic Engineer
Mr. Karl Cooler, Building Official
Mr. Arthur L. Tolley, Zoning Official
Mr. Robert S. Fowler, Zoning Official
Mrs. Tracey Norvelle, Representative

PLANNING COMMISSION MINUTES
OCTOBER 8, 2003

JAMBO, International, L.L.C., property owner, is requesting approval of the street extension dedication for the proposed *Jefferson Square at Wyndhurst, Phase II*, which would subdivide 2.638 acres into five lots for commercial development. The proposed development would be served by an extension of Archway Court.

Mr. Tom Martin, City Planner, indicated that the City had no concerns with the dedication or street naming, and the Planning Division recommended approval.

Ms. Tracey Norvelle, Hurt & Proffitt, Inc., represented the street extension for JAMBO, International, L.L.C. Ms. Norvelle said the subject parcel of land would be divided into five lots. She said Archway Court currently extends in direction off of Paulette Circle, and they are hoping to extend the street in the opposite direction.

Commissioner Flint said he was confused about the public water service. He said servicing the site with City water made sense to him, but the report and plat contradicted each other concerning the utility. He also noted that the Traffic Engineer requested that the intersections on the street lined up across from each other.

Ms. Norvelle said there was City water to the site and will continue through the street extension.

After further discussion, Commissioner Wilkins made the following motion, which was seconded by Commissioner Worthington and passed by the following vote:

“That the Planning Commission recommends to City Council approval of the subdivision plat entitled *Plat Showing Division of the Property of JAMBO International, LLC, Jefferson Square at Wyndhurst, Phase II*, by Hurt & Proffitt, Inc., dated June 9, 2003 to create five lots on 2.638 acres, including the dedication of right-of-way 50 feet in width for the proposed public street extension of Archway Court, to be constructed in substantial compliance with the preliminary subdivision plat. The acceptance of the extension of Archway Court as a public street is contingent on JAMBO International, L.L.C. filing a properly executed subdivision plat to be recorded among the land records in the Office of the Clerk of the Circuit Court; the filing of approved street and utility plans and the necessary construction bonds with the City; and the construction of the street in accordance with City standards. The failure to fully comply with these conditions shall render the City’s acceptance of the extension of Archway Court as a public street null and void.”

AYES:	Dahlgren, Echols, Flint, Wilkins, Worthington	5
NOES:		0
ABSTENTIONS:		0